

08/205045

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PTO/SB/17 (12-04v2)
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL For FY 2005		Application Number	Patent#: 5,682,074
		Filing Date	Issued: October 28, 1997
		First Named Inventor	Carlo C. DiPietro, et al.
		Examiner Name	N/A
		Art Unit	N/A
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	49,706 (71351)
TOTAL AMOUNT OF PAYMENT	(\$) 1,350.00		

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: 04-1105
Deposit Account Name: Edwards & Angell, LLP	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
						Fee (\$)	Small Entity Fee (\$)
Fee Description							
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
_____ - 20 = _____		x _____	= _____		Fee (\$)	Fee Paid (\$)	
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - 3 = _____		x _____	= _____				
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)	
_____ - 100 = _____		/50	_____ (round up to a whole number) x _____		= _____		
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): 2552 Maintenance fee due at 7.5 years						1,150.00	
1463 Petitions requiring the petition fee set forth in 37 CFR 1.17 (g) (Group II)						200.00	

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	42,639
Name (Print Type)	George W. Hartnell, Jr.	Telephone	(617) 439-4444
		Date	April 26, 2005

Certificate of Express Mailing	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV492344385US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: April 26, 2005	Signature: (Lakeisha Bryant)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. **EV492344385US**, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 26, 2005

Signature:

Lakeisha Bryant
(Lakeisha Bryant)

APR 26 2005

Docket No.: 49,706 (71351)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of: Carlo C. DiPietro, et al.

Patent No.: 5,682,074

Issued: October 28, 1997

For: ELECTRIC VEHICLE MOTOR

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO REVIEW DECISION REFUSING TO ACCEPT
AND RECORD PAYMENT OF A MAINTENANCE FEE
FILED PRIOR TO EXPIRATION OF PATENT (37 C.F.R. § 1.377)**

Dear Sir:

Pursuant to 37 CFR § 1.377, the Applicant respectfully requests review of a decision refusing to accept and record the 7-1/2-year maintenance fee for the captioned patent prior to expiration of the patent. The Director is authorized to charge the petition fee set forth in 37 CFR § 1.17(g) and the 7-1/2-year maintenance fee for a small entity pursuant to 37 CFR § 1.20(f) to Deposit Account **04-1105** and is hereby authorized to charge any additional fees that may be required and/or credit any overpayment to the same Deposit Account.

The Applicant further petitions that the petition fee set forth in 37 CFR § 1.17(g) be refunded if it is determined that the result of the earlier error is that of the United States Patent and Trademark Office (the "USPTO").

05/05/2005 DALLEN 00000007 041105 5682074

01 FC:1463 200.00 DA
02 FC:2552 1150.00 DA

REMARKS

The Applicant originally rendered payment to the U.S. Patent Office in good time before the 7-1/2-year anniversary of the date of issue of the patent. Such payment was refused by the Patent Office as evidenced by a returned Treasury check in the amount of \$1215.00. See, Exhibit A. The reason for the refund was "due to the patent being expired as of 3/18/02."

Applicant submits a Decision on Petition (the "Decision") for the captioned patent mailed March 18, 2002 by Senior Petitions Examiner Bruce Hearn of the Office of Petitions and a Notice of Fee Payment accompanying the decision, providing that the 3-1/2-year Maintenance Fee Payment was accepted by the USPTO. See, Exhibit B.

As a result, the patent did not expired on 3/18/02 as alleged by the Patent Office and the reason for refusing to accept and record the 7-1/2-year Maintenance Fee was inappropriate. Accordingly, the Applicant requests that the USPTO:

- a. Correct their records to reflect that U.S. Patent Number 5,682,074 did not expire on March 18, 2002; and
- b. Accept the timely filed 7-1/2-year Maintenance Fee that is rendered herein.

Dated: April 26, 2005

Respectfully submitted,

By 

George W. Hartnell, III
Registration No.: 42,639
EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444
Attorney for Applicant

Exhibit A



15-61
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 **COPY**

.DCC2005127

2221 72624197 13100001 M2



Pay to
the order of

SATON TECHNOLOGY CORP.
27 DRYDOCK AVE.
BOSTON MA 02210-2377

*****1215*00

PER ENCLOSED MAILING NOTICE

VOID AFTER ONE YEAR

001

Robert C. Mingo

№ 222 1-000 11

0000005 18: 726241978 010405

NOTICE TO CHECK RECIPIENT

TREASURY-FINANCIAL MANAGEMENT SERVICE TFS FORM 3090 (Rev.)

VENDOR NAME:

SATON TECHNOLOGY CORP.

**VENDOR I.D.
NUMBER:**

SATON TECHNO

AGENCY NAME
AND BILLING
ADDRESS:

Department of Commerce
2011 Crystal Drive
Crystal Park One
Arlington VA22202

U.S. TREASURY REG.
FINANCIAL CENTER:

AUSTIN, TEXAS

CHECK NUMBER

2221-72624197

CHECK AMOUNT

\$\$\$1215.00

CHECK DATE:

04-14-0

MAILROOM DATE: 02/18/2005
SERIAL NUMBER: 5682074
AMOUNT REFUNDED: 1215.00
THE ENCLOSED REFUND FOR PATENT NUMBER 5682074 IS DUE TO
PATENT BEING EXPIRED ASOF 3/18/02.
FOR QUESTIONS RELATING TO REFUND, CONTACT
SHANNON HARRISON - 703-308-9089

AGENCY SCHEDULE NUMBER

0CC200512

AGENCY TELEPHONE NUMBER
703-305-422

AT

PLEASE DIRECT ANY INQUIRIES CONCERNING THIS PAYMENT TO THE AGENCY AT THE ADDRESS (OR PHONE NUMBER) INDICATED ABOVE

Electric Vehicle Motor

Exhibit B



UNITED STATES PATENT AND TRADEMARK OFFICE



COPY

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

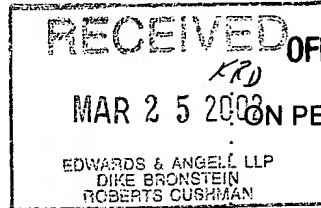
Paper No. 18

DIKE BRONSTEIN ROBERTS & CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL LLP
PO BOX 9169
BOSTON MA 02209

COPY MAILED

MAR 18 2002

In re Patent No: 5,682,074
Issue Date: October 21, 1997
Application No. 08/205,045
Filed: March 2, 1994
Patentee: Di Pietro et al.



OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition February 5, 2002, requesting reinstatement under 37 CFR 1.378(b) or other remedies which is being treated as a petition under 37 CFR 1.377(no fee) to review the apparent refusal of the USPTO to accept and record a timely maintenance fee for the above-identified patent.

The petition is dismissed as moot.

The patent has been maintained in force. The receipt of the payment sent by first class mail with a certificate of mailing under 37 CFR 1.8 was apparently delayed due to mail problems; nevertheless when received at the USPTO it was treated under the remedial provisions of 37 CFR 1.8, and the payment accepted as timely. The payment was processed December 21, 2001, which due to the mail delay was subsequent to the mailing of the Notice of Expiration. Any inconvenience is regretted. Enclosed for petitioner's convenience is a copy of the Maintenance Fee Statement showing the 3 ½ year payment was accepted by the USPTO as timely and the patent maintained in force.

The \$1205 fees proffered with the petition have been credited to deposit account No. 04-1105 as authorized.

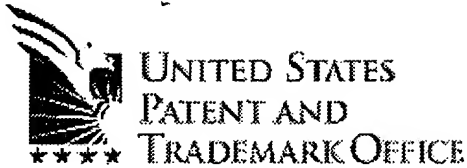
This file is being returned to the Files Repository.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-1820.

Brian Hearn

Brian Hearn
Senior Petitions Examiner
Office of Petitions
Office of the Assistant Commissioner
for Patent Examination Policy

Enclosure: Notice of Fee Payment



A large, bold, black stamp that reads "COPY" is positioned in the upper right corner of the document.

**Maintenance Fee Statement****5682074**

The data shown below is from the records of the Patent and Trademark Office. If the maintenance fees and any necessary surcharges have been timely paid for the patents listed below, the notation "PAID" will appear in column 11, "STAT" below.

If a maintenance fee payment is defective, the reason is indicated by code in column 11, "STAT" below. TIMELY CORRECTION IS REQUIRED IN ORDER TO AVOID EXPIRATION OF THE PATENT. NOTE 37 CFR 1.377. THE PAYMENT ENTERED UPON RECEIPT OF ACCEPTABLE CORRECTION. IF PAYMENT OR CORRECTION IS SUBMITTED DURING THE GRACE PERIOD, A SURCHARGE IS ALSO REQUIRED. NOTE 37 CFR 1.20(k) and (l).

If the statement of small entity status is defective the reason is indicated below in column 10 for the related patent number. THE STATEMENT OF SMALL ENTITY STATUS WILL BE ENTERED UPON RECEIPT OF ACCEPTABLE CORRECTION

ITEM NBR	PATENT NUMBER	FEE CDE	FEE AMT	SUR CHARGE	SERIAL NUMBER	PATENT DATE	FILE DATE	PAY YR	SML ENT	STAT
1	5,682,074	283 286	440	065	08/205,045	10/28/97	03/02/94	04	YES	PAID PAID

ITEM NBR	ATTY DKT NUMBER
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58301

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